



Howrey Docket No. 04813.0026.NPUS00
MP Ref. No.: MPPT.0021.NPRUS01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Jeffrey A. Colborn, et al.

Application No.: 10/058,231

Filed: October 19, 2001

For: **METHODS OF USING FUEL CELL
SYSTEM CONFIGURED TO
PROVIDE POWER TO ONE OR
MORE LOADS**

Art Unit: 1745

Examiner: Donald Scaltrito

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**RESUBMISSION OF
INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56, 1.97 and 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby submits a copy of the Information Disclosure Statement, PTO 1449, and references previously submitted on May 15, 2003, as indicated by the attached post card receipt. Applicant believes no fees are due in association with this resubmission. However, if any fees are in fact due, the Commissioner is hereby authorized to charge our Deposit Account No.08-

09/29/2003 H3038 referencing Docket No. 04813.0026.NPUS00.

01 FC:1806 180.00 DA

**CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

July 9, 2003
Date of Deposit

Robin L. Clow
Name of Person Mailing Paper

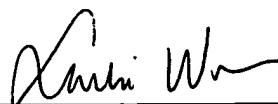
R. Clow
Signature of Person Mailing Paper



Howrey Docket No. 04813.0026.NPUS00
MP Ref. No.: MPPT.0021.NPRUS01

Respectfully submitted,

Dated: July 9, 2003



Lorelei P. Westin, Reg. No. 52,353

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Please indicate receipt of the below identified paper: PTO

<input type="checkbox"/> New Application For:		Priority Date:
<input type="checkbox"/> Foreign priority already claimed	Fee Amount:	or any related fee not specified
<input type="checkbox"/> Continuation <input type="checkbox"/> CIP	<input type="checkbox"/> Divisional	CPA <input type="checkbox"/>
<input type="checkbox"/> Specification: Pages	<input type="checkbox"/> Drawings:	Sheets
<input type="checkbox"/> Response to Office Action Dated:	<input type="checkbox"/> Final Rejection	
<input checked="" type="checkbox"/> Other: Transmittal, Information Disclosure Statement (2 pg); Form PTO-1449 (5 pg) with 103 references,		
<input type="checkbox"/> Assignment Enclosed	<input type="checkbox"/> Cert. of Timely Mailing	<input type="checkbox"/> Exp. Mail

IDENTIFICATION OF APPLICATION

Serial No.: 10/058,231	Responsible Attorney: R
Title: METHODS OF USING FUEL CELL SYSTEM CONFIGURED TO PROVIDE POWER TO ONE OR MORE LOADS	
Applicant: Jeffrey A. Colborn, et al.	
Client: Metallic Power	Entered By:
Firm File No.: 04813.0026.NPUS00	
Mailed: May 10, 2002	Filed: October 19, 2001
Due Date:	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

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Art Unit: 1745

Examiner: To be assigned

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56, 1.97 and 1.98**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Information Disclosure Statement under 37 C.F.R. §1.56, 1.97 and 1.98
- ☒ Form PTO-1449 (5 pages) with 103 references
- ☒ Return postcard.

**CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

May 10, 2002
Date of Deposit

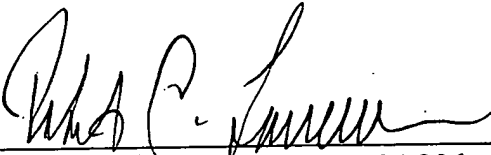
Robin L. Clow
Name of Person Mailing Paper

R. Clow
Signature of Person Mailing Paper

Applicant believes no fees are due in connection with this Petition. However, if any fees are in fact due, the Commissioner is hereby authorized to be charged to our Deposit Account No.08-3038 referencing Docket No. 04813.0026.NPUS01.

Respectfully submitted,

Dated: May 9, 2002.


Robert C. Laurenson, Reg. No. 34,206

HOWREY SIMON ARNOLD & WHITE, LLP
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Menlo Park, CA 94025
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In re the application of:

Jeffrey A. Colborn, et al.

Application No.: **10/058,231**

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Examiner: To be assigned

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GROUP 1700

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby submits, without admission of prior art effect thereof, the documents listed on the accompanying Form PTO-1449 pursuant to the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached hereto) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

May 10, 2002
Date of Deposit

Robin L. Clow
Name of Person Mailing Paper

R. Clow
Signature of Person Mailing Paper

This Information Disclosure Statement is being filed within three months of the U.S. filing date or before the mailing date of a first Office Action on the merits, therefore no statement under 37 C.F.R. § 1.97(e) or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038, referencing Howrey Docket No. 04813.0026.NPUS00.

Respectfully submitted,



Robert C. Laurenson, Reg. No. 34,206

Date: May 9, 2002

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FORM PTO-1449

ATTY. DOCKET NO.
04813.0026.NPUS00SERIAL NO.
10/058,231

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT**

JUL 11 2003

(Use several sheets if necessary)

APPLICANT:
Jeffrey A. Colborn et al.FILING DATE:
October 19, 2001GROUP:
1745

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	3,440,098	04/22/69	Stachurski	136	6	03/19/65
	AB	3,451,851	06/24/69	Stanimirovitch	136	30	12/27/66
	AC	3,639,173	02/01/72	Stachurski	136	3	12/05/69
	AD	3,660,170	05/02/72	Rampel	136	154	04/08/70
	AE	3,663,298	05/16/72	McCoy et al.	136	31	03/03/70
	AF	3,716,413	02/13/73	Eisner	136	86	07/15/70
	AG	3,767,466	10/23/73	McCoy et al.	136	131	01/27/72
	AH	3,811,952	05/21/74	Siwersson et al.	136	86	06/20/73
	AI	3,847,671	11/12/74	Leparulo et al.	136	86	04/13/73
	AJ	3,879,225	04/22/75	Backhurst et al.	136	86	05/02/73
	AK	3,887,400	06/03/75	Doniat et al.	136	86	05/14/73
	AL	3,902,918	09/02/75	Pompon	136	86	12/11/74
	AM	3,930,882	01/06/76	Ohsawa et al.	136	30	01/25/74
	AN	3,944,430	03/16/76	Lee	136	30	09/18/70
	AO	3,970,472	07/20/76	Steffensen	136	3	07/08/75
	AP	3,981,747	09/21/76	Doniat et al.	429	15	09/05/74
	AQ	3,985,581	10/12/76	Stachurski et al.	429	51	07/31/70
	AR	4,074,028	02/14/78	Will	429	105	05/09/77
	AS	4,105,829	08/08/78	Venero	429	15	04/07/76
	AT	4,127,701	11/28/78	Symons et al.	429	19	10/06/76
	AU	4,145,482	03/20/79	von Benda	429	27	04/05/77
	AV	4,147,839	04/03/79	Solomon et al.	429	15	12/08/77
	AW	4,172,924	10/30/79	Warszawski	429	15	02/21/78
	AX	4,198,475	04/15/80	Zaromb	429	15	06/20/78
	AY	4,218,521	08/19/80	Putt et al.	429	39	12/08/78
	AZ	4,272,333	06/09/81	Scott et al.	204	23	03/04/80
	BA	4,287,273	09/01/81	Harney et al.	429	153	04/03/80

EXAMINER:

Examiner

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

FORM PTO-1449		ATTY. DOCKET NO. 04813.0026.NPUS00	SERIAL NO. 10/058,231
LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT JUL 11 2003 (Use several sheets if necessary)		APPLICANT: Jeffrey A. Colborn et al.	
		FILING DATE: October 19, 2001	GROUP: 1745

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
BB	4,352,864	10/05/82	Struthers	429	18	04/06/81
BC	4,415,636	11/15/83	Charkey	429	27	05/07/81
BD	4,479,856	10/30/84	Ando	204	55	08/08/83
BE	4,485,154	11/27/84	Remick et al.	429	14	09/08/81
BF	4,563,403	01/07/86	Julian	429	198	02/23/84
BG	4,730,153	03/08/88	Breting et al.	320	14	01/30/86
BH	4,731,547	03/15/88	Alenduff et al.	307	85	12/12/86
BI	4,802,100	01/31/89	Aasen et al.	364	494	08/18/86
BJ	4,828,939	05/09/89	Turley et al.	429	38	06/01/87
BK	4,842,963	06/27/89	Ross Jr.	429	21	06/21/88
BL	4,855,030	08/08/89	Miller, W.	204	212	06/07/88
BM	4,950,561	08/21/90	Niksa et al.	429	27	06/29/89
BN	5,006,424	04/09/91	Evans, et al.	429	15	11/08/89
BO	5,156,925	10/20/92	Lapp	429	19	10/09/91
BP	5,168,905	12/08/92	Phallen	141	1	09/20/90
BQ	5,188,911	02/23/93	Downing, et al	429	70	02/25/91
BR	5,196,275	03/23/93	Goldman et al.	429	27	12/31/90
BS	5,208,526	05/04/93	Goldman et al.	320	2	12/31/90
BT	5,260,144	11/09/93	O'Callaghan	429	14	03/22/90
BU	5,312,699	05/17/94	Yanagi, et al.	429	22	09/30/92
BV	5,318,861	06/07/94	Harats, et al.	429	21	01/11/93
BW	5,316,869	05/31/94	Perry, Jr., et al.	429	19	03/08/93
BX	5,348,820	09/20/94	Suga, et al.	429	216	07/09/93
BY	5,360,680	11/01/94	Goldman, et al.	429	27	10/21/92
BZ	5,366,829	11/22/94	Saidi	429	216	06/14/93
CA	5,369,353	11/29/94	Erdman	323	207	12/08/92
CB	5,378,329	01/03/95	Goldstein, et al.	204	115	07/06/93

EXAMINER: Examiner	DATE CONSIDERED:
EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant	

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

JUL 11 2003 (Use several sheets if necessary)

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE	
	CC	5,382,482	01/17/95	Suga, et al.	429	206	07/29/93
	CD	5,401,589	03/28/95	Palmer, et al.	429	13	11/22/91
	CE	5,405,713	04/11/95	Pecherer et al.	429	49	09/15/93
	CF	5,411,815	05/02/95	Goldstein	429	50	09/15/93
	CG	5,427,872	06/27/95	Shen, et al.	429	142	11/17/93
	CH	5,432,710	07/11/95	Ishimaru et al.	364	493	03/29/93
	CI	5,434,020	07/18/95	Cooper	429	210	11/15/93
	CJ	5,434,021	07/18/95	Fauteux, et al.	429	213	08/12/94
	CK	5,441,820	08/15/95	Siu, et al.	429	17	10/26/93
	CL	5,462,815	10/31/95	Horiuchi	429	13	08/19/93
	CM	5,476,293	12/19/95	Yang	290	4	02/07/94
	CN	5,547,778	08/20/96	Fauteux, et al.	429	81	07/13/95
	CO	5,500,561	03/19/96	Wilhelm	307	64	10/24/94
	CP	5,558,947	09/24/96	Robison	429	13	04/14/95
	CQ	5,563,802	10/08/96	Plahn, et al.	364	492	01/31/96
	CR	5,569,551	10/29/96	Pedicini, et al.	429	27	04/24/95
	CS	5,578,183	11/26/96	Cooper	205	64	05/11/95
	CT	5,635,051	06/03/97	Salas-Morales, et al.	205	602	08/30/95
	CU	5,637,414	06/10/97	Inoue, et al.	429	13	05/20/96
	CV	5,780,186	07/14/98	Casey Jr.	429	229	05/09/96
	CW	5,783,932	07/21/98	Namba, et al.	322	16	03/21/96
	CX	5,795,666	08/18/98	Johnssen	429	17	11/12/94
	CY	5,795,679	08/18/98	Kawakami, et al.	429	218	10/17/95
	CZ	5,824,434	10/20/98	Kawakami, et al.	429	209	11/30/93
	DA	5,849,427	12/15/98	Siu, et al.	429	19	03/17/97
	DB	5,869,200	02/09/99	Nunnally	429	10	08/12/97
	DC	5,880,536	03/09/99	Mardirossian	307	44	05/14/97

EXAMINER:

Examiner

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Jeffrey A. Colborn et al.FILING DATE:
October 19, 2001GROUP:
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(Use several sheets if necessary)

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
DD	5,929,538	07/27/99	O'Sullivan, et al.	307	66	06/27/97
DE	5,952,117	09/14/99	Colborn, et al.	429	27	05/22/97
DF	5,958,210	09/28/99	Siu, et al.	205	602	11/21/96
DG	5,961,928	10/05/99	Maston, et al.	422	110	04/15/97
DH	5,969,435	10/19/99	Wilhelm	307	64	03/19/97
DI	5,984,986	11/16/99	Wiesheu et al.	48	203	06/16/97
DJ	5,985,474	11/16/99	Chen, et al.	429	17	08/26/98
DK	5,999,888	12/07/99	Aubee	702	45	06/09/97
DL	6,051,192	04/18/00	Maston, et al.	422	110	04/15/97
DM	6,067,482	05/23/00	Shapiro	700	286	01/08/99
DN	6,153,329	11/28/00	Raschilla, et al.	429	65	12/08/98
DO	6,162,555	12/19/00	Gutierrez, et al.	429	15	07/15/99
DP	6,296,958	10/02/01	Pinto, et al.	429	15	03/08/00

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATI YES NO
DQ	2,639,767	11/30/88	France			X
DR	2,669,775	11/27/90	France			X
DS	51-494439	04/76	Japan			X
DT	WO 00/38260	06/29/00	PCT			X
DU	EP 0568822 A2	11/10/93	EPO			X

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FORM PTO-1449

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Jeffrey A. Colborn et al.FILING DATE:
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1745

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

DV	Appleby, A. J. et al.: <i>The C.G.E. Circulating Zinc/Air Battery: A Practical Vehicle Power Source</i> ; <i>Journal of Power Sources</i> ; 1976/1977; Vol. 1; pages 17-24.
DW	Appleby, A.J. et al.: <i>Charge-Discharge Behavior of the C.G.E. Circulating Zinc-Air Vehicle Battery</i> ; <i>Society of Automotive Engineers, Cobo Hall, Detroit</i> ; February 28 – March 4, 1977.
DX	Cooper, J., et al.; <i>Demonstration of a Zinc/Air Fuel Battery to Enhance the Range and Mission of Fleet Electric Vehicles: Preliminary Results in the Refueling of a Multicell Module</i> ; 29 th <i>Intersociety Energy Conversion Engineering Conference</i> ; August 8, 1994; 8 pages.
DY	Cooper, J.; <i>How the Zinc/Air Battery is Refueling the Competitiveness of Electric Vehicles</i> ; <i>Science & Technology Review</i> ; October 1995; pages 7-13.

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Examiner

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